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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/701,154	11/22/2000	George Friedman	1237-00	8839

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EXAMINER
SONG, HOSUK

ART UNIT	PAPER NUMBER
2135	8

DATE MAILED: 07/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/701,154	FRIEDMAN ET AL.
	Examiner	Art Unit
	Hosuk Song	2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>03 May 2004</u> .

2a) ☒ This action is **FINAL.**   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-34</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-34</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____ .

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>3</u> .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1.   Claims 1-4,6-17,19,21-34 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Burns et al(US 5,931,947) in view of Hsu(US 5,584,023).

Claim 1: Burn's patent discloses detecting a file system request in (col.4,lines 29-35).

Burns discloses completing the file system request in (col.6,lines 40-43). Burns discloses receiving

return information from the file system request in (col.11,lines 1-25). Burns discloses determining

whether the file system request is for a tag file associated with a secured file and if so,

modifying return information to reflect a file attribute of the secured file in (col.11,lines 49-57 and

col.12,lines 62-67;col.13,lines 1-27). Burns does not specifically disclose providing at least one

tag file comprising a physical file of zero bytes in length; maintaining the tag file in a part of a file

system and processing file system calls so that the tag file appears to as a secured file

containing data from the view of a user,operating system and programs. Hsu's patent discloses

this limitation in (col.17,lines 40-56). It would have been obvious to person of ordinary skill in the

art at the time invention was made to have tag file comprising a physical file of zero bytes in

length; maintaining the tag file in a part of a file system and processing file system calls so that

the tag file appears to as a secured file containing data from the view of a user,operating system

and programs in order to enhance the security of its data such that it deceives hackers to attack

empty file while preserving integrity of its orginal file.

Claim 2: Burns discloses file attribute is file size in (col.12,lines 48-50).

Claim 3: Burns discloses determining whether return information identifies a plurality of

tag files associated with a plurality of secured files and if so, modifying the return information to

reflect a file attribute of the plurality of secured files in (col.7,lines 39-55).

Claim 4: Burns discloses secured file is stored in encrypted form in (col.7,lines 39-48).

Claim 6: Burns discloses secured file is stored on a remote networked device in

(col.5,lines 30-33 and fig.1).

Claim 7: Burns discloses file system request is to open a file in (col.11,lines 65-

67;col.12,lines 1-7).

Claim 8: Burns discloses file system request is to delete a file in (col.11,lines 28-30).

Claim 9: Burns discloses file system request is to rename a file in (col.11,lines 65-

67;col.12,lines 1-7).

Claim 10: Burns discloses file system is to query file information (col.6,lines 27-33).

Claim 11: Burns discloses file system request is to set file information in (col.10,lines 63-

65).

Claims 12,13: Burns discloses file system request is to find a first matching file in

(col.12,lines 61-67).

Claim 14: Burns discloses file system request is directory control in (col.12,lines 20-35).

Claim 15: Burn's patent discloses detecting a file system request in (col.4,lines 29-35).

Burns discloses completing the file system request in (col.6,lines 40-43). Burns discloses receiving

return information from the file system request in (col.11,lines 1-25). Burns discloses determining

whether the file system request is for a tag file associated with a secured file and if so,

modifying return information to reflect a file attribute of the secured file in (col.11,lines 49-57 and

col.12,lines 62-67;col.13,lines 1-27). Burns does not specifically disclose providing at least one

tag file comprising a physical file of zero bytes in length; maintaining the tag file in a part of a file system and processing file system calls so that the tag file appears to as a secured file containing data from the view of a user,operating system and programs. Hsu's patent discloses this limitation in (col.17,lines 40-56). It would have been obvious to person of ordinary skill in the art at the time invention was made to have tag file comprising a physical file of zero bytes in length; maintaining the tag file in a part of a file system and processing file system calls so that the tag file appears to as a secured file containing data from the view of a user,operating system and programs in order to enhance the security of its data such that it deceives hackers to attack empty file while preserving integrity of its orginal file.

Claim 16: Burns discloses file attribute is file size in (col.12,lines 48-50).

Claim 17: Burns discloses determining whether return information identifies a plurality of tag files associated with a plurality of secured files and if so, modifying the return information to reflect a file attribute of the plurality of secured files in (col.7,lines 39-55).

Claim 19: Burns discloses secured file is stored in encrypted form in (col.7,lines 39-48).

Claim 21: Burns discloses secured file is stored on a remote networked device in (col.5,lines 30-33 and fig.1).

Claim 22: Burns discloses file system request is to open a file in (col.11,lines 65-67;col.12,lines 1-7).

Claim 23: Burns discloses file system request is to delete a file in (col.11,lines 28-30).

Claim 24: Burns discloses file system request is to rename a file in (col.11,lines 65-67;col.12,lines 1-7).

Claim 25: Burns discloses file system is to query file information (col.6,lines 27-33).

Claim 26: Burns discloses file system request is to set file information in (col.10,lines 63-65).

Claims 27,28: Burns discloses file system request is to find a first matching file in (col.12,lines 61-67).

Claim 29: Burns discloses file system request is directory control in (col.12,lines 20-35).

Claims 30,31: Burns and Hsu patent disclose all the limitation, see claim rejection 1 above. It is inherent in system of Burns and Hsu to include a computer implemented instruction/algorithm to carry out data processing method such as detecting file system request and completing file system request between two systems.

Claims 32: Burn's patent discloses detecting a file system request in (col.4,lines 29-35). Burn discloses completing the file system request in (col.6,lines 40-43). Burns discloses receiving return information from the file system request in (col.11,lines 1-25). Burns discloses determining whether the file system request is for a tag file associated with a secured file and if so, modifying return information to reflect a file attribute of the secured file in (col.11,lines 49-57 and col.12,lines 62-67;col.13,lines 1-27). Burns does not specifically disclose providing at least one tag file comprising a physical file of zero bytes in length; maintaining the tag file in a part of a file system and processing file system calls so that the tag file appears to as a secured file containing data from the view of a user,operating system and programs. Hsu's patent discloses this limitation in (col.17,lines 40-56). It would have been obvious to person of ordinary skill in the art at the time invention was made to have tag file comprising a physical file of zero bytes in length; maintaining the tag file in a part of a file system and processing file system calls so that the tag file appears to as a secured file containing data from the view of a user,operating system and programs in order to enhance the security of its data such that it deceives hackers to attack empty file while preserving integrity of its orginal file.

Claim 33: Burns discloses file attribute is file size in (col.12,lines 48-50).

Claim 34: Burns discloses determining whether return information identifies a plurality of

tag files associated with a plurality of secured files and if so, modifying the return information to

reflect a file attribute of the plurality of secured files in (col.7,lines 39-55).

2.   Claims 5,20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burns et

al(US 5,931,947) in view of Hsu(US 5,584,023) and further in view of Johnson et al.(US

4,887,204).

Claims 5,20: Burns and Hsu patent does not specifically disclose secured file is stored in

a secure virtual file system. Johnson discloses secured file is stored in a secure virtual file

system in (col.13,lines 18-28). It would have been obvious to person of ordinary skill in the art at

the time invention was made to store secure files in a secure virtual file system as taught in

Johnson with file accessing system disclosed in Burns and Hsu in order to provide a uniform file

oriented,multiple file system environment for both local and remote files. Further, secure virtual

file system provide orderly mapping of stored information which allows user for easy access with

security.

3.   Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burns et al(US

5,931,947) in view of Hsu(US 5,584,023) and further in view of Roberts(US 5,287,453).

Claim 18: Burns and Hsu disclose all the limitations above.Neither Burns nor Hsu

specifically discloses file system monitor. Roberts patent discloses file system monitor in

(col.5,lines 55-68;col.6,lines 1-5). It would have been obvious to person of ordinary skill in the

art at the time invention was made to employ a file system monitor disclosed in Roberts with a

network storage system taught in Burns and Hsu in order to monitor file activity and automated

file processing like real time directory synchronizations. File system monitor allows files

synchronization between servers,files that waste space on file servers(pollution files,temporary

files,games etc) where the system manages disk storage space by deleting unwanted files thus

providing efficient way of managing data storage and data activity.

Response to Amendment

4.   Applicant has amended claims 1,15,30,32. Applicant's amendment necessitated the

new grounds of rejection presented in this Office action.

Conclusion

5.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant

is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

6.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Hosuk Song whose telephone number is 703-305-0042. The examiner

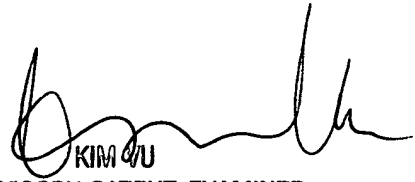can normally be reached on Tue-Fri from 6:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kim Vu can be reached on 703-305-4393. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HS

KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100